

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PETER MORGAN,

Plaintiff,

Case no. 14-11006

Paul D. Borman  
United States District Judge

v.

R. Steven Whalen  
United States Magistrate Judge

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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ORDER (1) ADOPTING MAGISTRATE JUDGE WHALEN'S  
DECEMBER 12, 2014 REPORT AND RECOMMENDATION (ECF NO. 22);  
(2) GRANTING DEFENDANT'S MOTION TO REMAND (ECF NO. 17);  
(3) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT SEEKING A  
REMAND FOR ENTRY OF BENEFITS AND DENYING AS MOOT PLAINTIFF'S  
REQUEST FOR A REMAND FOR FURTHER FACT FINDING (ECF NO. 15);  
(4) REMANDING FOR FURTHER PROCEEDINGS PURSUANT TO SENTENCE FOUR OF  
42 U.S.C. § 405(g), TO BE CONSOLIDATED WITH THIS COURT'S  
PREVIOUS REMAND IN CASE NO. 12-12071

On December 12, 2014, Magistrate Judge R. Steven Whalen issued a Report and Recommendation that this Court (1) grant Defendant's Motion to Remand for further administrative proceedings, to be consolidated with the remand previously ordered by this Court in Case No. 12-12071 (ECF No. 17) and (2) deny Plaintiff's Motion for Summary Judgment as to the request for an remand for an award of benefits and deny as moot Plaintiff's request for a remand for further fact-finding (ECF No. 15). (ECF No. 22, Report and Recommendation.)

Having reviewed the Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court:

- (1) ADOPTS the Report and Recommendation (ECF No. 22);
- (2) GRANTS Defendant's Motion to Remand (ECF No. 17);
- (3) DENIES Plaintiff's Motion for Summary Judgment seeking a remand for an award of benefits and DENIES AS MOOT Plaintiff's request for a remand for further fact finding (ECF No. 15);
- (4) REMANDS this matter pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings, to be consolidated with this Court's previous remand in Case No. 12-12071, consistent with the Magistrate Judge's Report and Recommendation.

IT IS SO ORDERED.

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: January 14, 2015

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 14, 2015.

s/Deborah Tofil  
Case Manager